

REMARKS

Claims 1, 4, 7 and 9-14 have been amended. Claim 3 has been canceled. No new matter has been added. Upon entry of this amendment, claims 1, 2, 4-7 and 9-14 will be pending in this application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Claims 1-7 and 9-14 are rejected under 35 USC 101 as being directed to non-statutory subject matter. Claims 1 and 13 have been amended to make clear that the claimed sales activity management system and server device, respectively, are not drawn to computer programs per se. Claim 14 is an apparatus claim – not a method claim – and thus is not drawn to a computer program per se. Accordingly, withdrawal of the 35 USC 101 rejection is respectfully requested.

Claims 1, 3, 4, 7, 9-11, 13 and 14 are rejected under 35 USC 112, second paragraph, as indefinite with regard to the term "sales negotiation item" as recited in claims 1, 3, 11, 13 and 14, and the terms "an evaluation report document sending unit" and "send[ing] the evaluation report document to customer terminal" as recited in claims 1, 9, 10, 13 and 14. The claims have been amended to clarify the phrase "sales negotiation item." For example, the phrase "wherein a sales negotiation item is . . ." has been added to claim 1. The claims have also been amended to clarify the phrases "an evaluation report document sending unit" and "send[ing] the evaluation report document to customer terminal." For example, claim 1 has been amended to include "evaluation report document information" and "to a terminal device of the salesperson connected to the sales activity management system through a communication network." Accordingly, withdrawal of the 35 USC 112 rejection is respectfully requested.

Claims 1-7 and 9-14 are rejected under 35 USC 103(a) on Melchione (US 5,930,764) in view of Solomon (US 2002/0046157). This rejection is respectfully traversed with respect to the claims as amended.

The claims, as amended, are directed to systems and devices comprising a number of elements in combination. Amended claim 1, for example, recites a sales activity management system comprising a number of elements in combination. The claimed combination includes: (a) a database, (b) an activity content evaluation unit, (c) an evaluation report document information creating unit, (d) a customer database, (e) a customer targeting unit, and (f) an evaluation report document information sending unit.

As currently amended, the claimed evaluation report document information creating unit generates, for each salesperson, an evaluation report document information including evaluation report information concerning the activity content of a salesperson, based on the evaluation results by the activity content evaluation unit. The claimed customer targeting unit extracts sales negotiation item information wherein a sales negotiation progress level of the sales negotiation item is equal to or greater than a predetermined level among a plurality of sales negotiation items that are in progress by a salesperson from the database. The claimed customer targeting unit targets the customer identified by a customer identifier included in the extracted sales negotiation item information, extracts the customer information of the targeted customer from the customer database, and adds the extracted customer information as priority customer information for the salesperson to the evaluation report information in the evaluation report document information of the salesperson. The claimed evaluation report document information sending unit sends, for each salesperson, the generated evaluation report document information of the salesperson including the customer information added by the customer targeting unit and the evaluation report information to a terminal device of the salesperson.

Support for these amendments can be found in at least page 12, lines 7 to 13, page 16, line 19 to page 17, line 5, page 20, lines 16 to 23, page 22, line 11 to page 23, line 25, page 28, lines 3 to 11, and page 30, line 24 to page 31, line 10.

In contrast, neither Melchione nor Solomon discloses or suggests a combination including a customer targeting unit and an evaluation report document information sending unit as claimed.

On page 3, lines 16-19, of the Office Action, the Examiner relies on Melchione as disclosing "a combination including a report that contains information on a customer of a sales negotiation item whose sales negotiation progress level is equal to or greater than a predetermined level." However, the portion of Melchione upon which the Examiner relies for this disclosure, col. 41, lines 51-53, etc., does not disclose a combination including a report that contains information on a customer of a sales negotiation item whose sales negotiation progress level is equal to or greater than a predetermined level. Rather, col. 41, lines 51-53, of Melchione discloses that "[a] performance versus goals report indicates whether a particular branch or personal banker is meeting the goals set by the campaign management." In other words, a report of Melchione shows whether a particular branch or personal banker has met the goals.

In contrast, according to claim 1 of the present application, "an evaluation report document information creating unit" generates evaluation report document information of each salesperson, "a customer targeting unit" adds priority customer information for the salesperson to the evaluation report document information of the salesperson, and "an evaluation report document information sending unit" sends evaluation report document information of the salesperson to a terminal device of the salesperson. Thus, the information included in the "evaluation report document information" of claim 1 of the present application is distinguishable from the information presented in the report of Melchione.

Melchione does not disclose including priority customer information for a salesperson in document information of the salesperson. Melchione does not disclose in order to extract priority customer information, targeting a customer identified by a customer identifier included in "sales negotiation item information wherein a sales negotiation progress level of the sales negotiation item is equal to or greater than a predetermined level." Melchione does not disclose at least "a customer

targeting unit" and "an evaluation report document information sending unit" of claim 1 of the present application. Consequently, Melchione does not disclose "a combination including a report that contains information on a customer of a sales negotiation item whose sales negotiation progress level is equal to or greater than a predetermined level" as relied upon by the Examiner.

On page 5, lines 8-10, of the Office Action, the Examiner relies on Melchione as disclosing "that information on customers targeted by the customer targeting unit is automatically included in the evaluation report of each salesperson." However, the portion of Melchione upon which the Examiner relies for this disclosure, col. 6, line 52 - col. 7, line 30, etc., does not disclose that information on customers targeted by the customer targeting unit is automatically included in the evaluation report of each salesperson. Rather, col. 6, line 52 - col. 7, line 30, of Melchione discloses that "in this way, leads, preferable loaded by the micromarketing center can be automatically sent to the branches. ... Leads are automatically loaded to a system for providing leads to the branch users and personal bankers overnight." In other words, in the technique of Melchione, "leads" are sent to a "branch" – i.e., a system for providing leads to the branch users and personal bankers. Thereafter, "[t]he branch managers receive the list of leads generated by the micromarketing center and electronically load the leads into the CCIS workstations for distribution among selected personal bankers within the branch. The branch managers assign the leads to the personal bankers most qualified to handle the leads, or based on the workload and availability of the personal bankers. The personal bankers receive access to the list of leads on the CCIS workstation, after the list is generated by the micromarketing center and communicated to the CCIS." Col. 9, lines 46-65 of Melchione. In other words, in the technique of Melchione, after leads are sent to a branch, the managers of the branch refers to the list of the received leads and assign the leads to personal bankers within the branch. The personal bankers to whom the leads are assigned receive access to the list of the leads.

In contrast, according to claim 1 of the present application, "an evaluation report document information creating unit" generates evaluation report document information of each salesperson, "a customer targeting unit" adds priority customer information for the salesperson to the evaluation report document information of the salesperson, and "an evaluation report document information sending unit" sends evaluation report document information of the salesperson to a terminal device of the salesperson. According to claim 1 of the present application, managers (equated with the branch managers of Melchione by the Examiner) do not assign targeted customers to salespersons (equated with the personal bankers of Melchione by the Examiner).

Melchione does not disclose including priority customer information for a salesperson in document information of the salesperson and sending the document information of the salesperson to a terminal device of the salesperson. Melchione does not disclose generating, for each salesperson, document information including priority customer information of the salesperson. Melchione does not disclose at least "a customer targeting unit" and "an evaluation report document information sending unit" of claim 1 of the present application. Consequently, Melchione does not disclose "information on customers targeted by the customer targeting unit is automatically included in the evaluation report of each salesperson" as relied upon by the Examiner.

The deficiencies of Melchione are not compensated for by the addition of the newly cited Solomon reference. Solomon discloses "intelligent negotiation agents (INAS) which are autonomous intelligent software agents that negotiate for the acquisition of products, services and bundles by adopting roles of buying, selling and brokering." In particular, Solomon discloses a technique for conducting bidding between buyers and a seller. Solomon does not even disclose a combination including an "evaluation report document information including evaluation report information concerning the activity content of a salesperson" as recited by claim 1 of the present application. Consequently, Solomon does not disclose the combination of claim 1, including "a customer targeting unit" and "an evaluation report document information sending unit."

Since Melchione and Solomon do not disclose a combination including at least "a customer targeting unit" and "an evaluation report document information sending unit" as recited in claim 1 of the present application, claim 1 of the present application is patentably distinct over Melchione and Solomon. Claims 13 and 14, as amended, recite features substantially similar to claim 1 and are patentably distinct over Melchione and Solomon for reasons substantially similar to claim 1.

In view of the above, each of the claims in this application is in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no.

116692005600.

Dated: April 19, 2010

Respectfully submitted,

By Alex Chartove
Alex Chartove

Registration No.: 31,942
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 400
McLean, Virginia 22102
(703) 760-7744